

United States District Court

Southern

DISTRICT OF

New York

United States of America for the Use and Benefit
of LMC Industrial Contractors, Inc.,

Plaintiff,

V.

FKI Logistex Integration Inc. and Travelers
Casualty and Surety Company of America,

Defendants.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

07 CV 2925
JUDGE PRESKA

TO: (Name and address of defendant)

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, Connecticut 06183

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero

APR 11 2007

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	
NAME OF SERVER (<i>PRINT</i>) Please see attached.	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____ </div> <div> <input type="checkbox"/> Returned unexecuted: _____ _____ _____ </div> <div> <input type="checkbox"/> Other (<i>specify</i>): _____ _____ _____ </div> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> Executed on _____ <div style="text-align: center; font-size: small;">Date</div> </div> <div style="width: 45%;"> _____ <div style="text-align: center; font-size: small;">Signature of Server</div> </div> </div> <div style="margin-top: 20px; text-align: center;"> _____ <div style="font-size: small;">Address of Server</div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

STATE OF NEW YORK
UNITED STATES DISTRICT COURT
DISTRICT: SOUTHERN/NEW

COUNTY OF

INDEX #: 07-CV-2925

Date Filed:

United States of America for the use and benefit of LMC Industrial Contractors, Inc

Plaintiff(s)/Petitioner(s)

vs

FKI Logistex Integration Inc. and Travelers Casualty and Surety Company of America

Defendant(s)/Respondent(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

Stephen L. Collen, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On May 1, 2007 at 3:50 pm, at C/O Corporation Service Company, 80 State St., Albany, NY 12207, deponent served the within Summons In A Civil Case and Complaint Disclosure Statement

on: Travelers Casualty and Surety Company of America, Defendant therein named.

☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

☒ By delivering thereat a true copy of each to Gladys Ryan, clerk personally, deponent knew said business/agency so served to be the business/agency described in same as said defendant and knew said individual to be the managing/authorized agent of the business/agency, and said person stated that he/she was authorized to accept service on behalf of the business/agency.

☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is defendant's: ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

☐ By affixing a true copy of each to the door of said premises, which is defendant's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, having called thereat

on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____

Address confirmed by _____

☐ On _____, deponent completed service by depositing a true copy of each to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

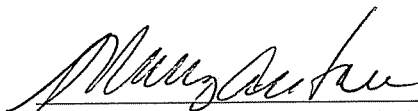
A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: Female Color of skin: White Color of hair: Blonde/Gray Age: 50 - 59 Yrs. Height: 5' 4" - 5' 8"
Weight: Under 100 Lbs. Other Features: Glasses

☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the witness.

Deponent asked person spoken to whether the defendant is presently in military service of the United States Government or of the State of New York and was informed that defendant is not.

Sworn to before me on May 1, 2007



MARCY A. O'HARE
NOTARY PUBLIC, State of New York
No. 4865530, Qualified in Albany County
Term Expires July 14, 2010



Stephen L. Collen

Invoice•Work Order # 0703584